

IN THE DRAWINGS:

Please amend the Drawings as follows.

Please SUBSTITUTE the enclosed Replacement Sheet (1) for Figures 4 and 5.

Attachment: Replacement Sheet (1) for Figures 4 and 5

REMARKS

The Office Action dated July 3, 2007, has been received and carefully noted. The above amendments to the specification, drawings, and claims, as well as the following remarks, are submitted as a full and complete response thereto.

Claims 1-28 are currently pending in the application, of which claims 1, 21, 23-24, and 26-28 are independent claims. Claims 1-25 have been amended, and claims 26-28 have been added, to more particularly point out and distinctly claim the invention. No new matter has been added. Claims 1-28 are respectfully submitted for consideration.

The title of the application was objected to as not being descriptive. The title has been amended to "Communication system including at least one user and at least one entity to which presence information associated with said at least one user is provided." It should be noted that while this title contains additional description (and consequently renders the objection moot), it is the claims that define the scope of the invention, and no change to the scope of the invention is intended or effected by this amendment to the title. It is respectfully requested that the objection to the title be withdrawn accordingly.

The drawings were objected to because Figures 4-5 included blank rectangular boxes. The Office Action requested that these be labeled with descriptive text. Figures 4-5 have been replaced by substitute figures that include descriptive text labels within the blank rectangles. Accordingly, it is respectfully requested that the objection to Figures 4-5 be withdrawn.

Claims 1-12, 16, and 20-25 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,993,327 of Mathis ("Mathis"). Applicants respectfully traverse this rejection.

Claim 1, upon which claims 2-20 depend, is directed to a communication system including at least one user with which presence information is associated, the presence information including a plurality of parts, at least one of the parts including information identifying an application for which the at least one part is intended. The system also includes at least one entity to which presence information associated with the at least one user is provided, the at least one entity including at least one application, the at least one entity being configured to use the information to obtain the at least one part of the presence information intended for the at least one application of the at least one entity.

Claim 21, upon which claim 22 depends, is directed to a method including receiving at least a portion of presence information for an associated user, the presence information including a plurality of parts, at least one of the parts including information identifying an application for which the at least one part is intended. The method also includes obtaining in at least one entity at least one of the parts, the at least one entity including at least one entity application, the at least one entity obtaining the parts including information identifying the at least one entity application.

Claim 23 is directed to a user in a communications system, the user having associated presence information, the presence information including a plurality of parts,

the user being configured to provide at least one of the parts with information identifying an application for which the at least one part is intended.

Claim 24, upon which claim 25 depends, is directed to an entity in a communications system including at least one obtaining unit configured to obtain at least one part of presence information associated with an user, the at least one part including information identifying an application. The obtaining unit is configured to obtain the at least one part including information identifying the at least one application.

Certain embodiments of the present invention provide an improved technique for providing presence information. In particular, certain embodiments of the present invention provide information identifying an application for which presence information is intended within the presence information. This provides a technical advantage that when there are multiple applications running on a given user equipment, an undesired application will not misinterpret presence information.

Applicants respectfully submit that Mathis fails to disclose or suggest all of the elements of any of the presently pending claims, and consequently cannot provide the critical and unobvious advantage identified above.

Mathis generally relates to multicast distribution of presence information for an instant messaging system. More particularly, Mathis describes a technique for distributing presence information to a plurality of communication devices. In particular Mathis provides a respective contact list that is associated with each of the

communication devices and that identifies one or more of the other communication devices.

Claim 1 recites, in part, “information identifying an application for which said at least one part is intended.” Mathis fails to disclose or suggest at least this feature of claim 1.

The Office Action took the position that Mathis’ contact list, which identifies one or more communication device, corresponds to “information identifying an application for which said at least one part is intended” as recited in claim 1. The Office Action’s position is incorrect.

The “application” as described in the claims would not be interpreted to mean a “device” by one of ordinary skill in the art in light of the specification. The use of “application” is a common term in the art to describe software running on a device. As such, and in view of the light provided by the specification, one of ordinary skill in the art would conclude that an application is not analogous to a device, even under the broadest reasonable interpretation of the recitations of the claim.

Furthermore, one of ordinary skill in the art would recognize that a given device may contain multiple applications; consequently, information identifying a device is only able to identify a group of applications, not an application. Moreover, in the present context, it would not be known whether a given device contains a given application. Thus, simply by identifying a device there may be no knowledge that an application even exists and thus the application cannot be explicitly identified by such information.

The above interpretation notwithstanding, and assuming (but not admitting) that identification of a communication device teaches an identification of an application, the Office Action's interpretation still cannot support a rejection of the claim.

Claim 1 identifies, among other things, information including a plurality of parts, of which at least one of these parts comprises information identifying an application for which the part is intended. This information (*i.e.* the information that comprises this plurality of parts) is provided to at least one entity, the entity using the information (which identifies an application for which a part is intended) to obtain this part for the intended application.

Under the Office Action's interpretation a communications device will receive the presence information that is intended for that device based on information that identifies the device. There is, however, disclosed no further system in which the entity (or communication device) is able to subdivide the received information into parts and identify particular applications based on this information. Consequently the recitations of claim 1 cannot be taught by this interpretation of Mathis.

For at least the above reasons, it should be clear that Mathis fails to anticipate claim 1. Thus, it is respectfully requested that the rejection of claim 1 be withdrawn.

Independent claims 21 and 23-24 each have their own respective scope. Each of claims 21 and 23-24, however, recites at least some similar features to claim 1, with respect to which Mathis is deficient. Thus, it is respectfully requested that the rejection of claims 21 and 23-24 be similarly withdrawn.

Claims 2-12, 16, 20, 22, and 25 depend respectively from, and further limit, claims 1, 21, and 24. Each of claims 2-12, 16, 20, 22, and 25, therefore, recites subject matter that is neither disclosed nor suggested in Mathis. It is, therefore, respectfully requested that the rejection of claims 2-12, 16, 20, 22, and 25 be withdrawn.

Claims 13-15 and 17-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mathis in view of U.S. Patent No. 6,822,945 of Petrovykh (“Petrovykh”). The Office Action took the position that Mathis describes many of the features of the claims, but cited Petrovykh to remedy certain deficiencies of the claims with respect to the further recitations thereof. Applicants respectfully traverse this rejection.

Claims 13-15 and 17-19 depend from and further limit claim 1. At least some of the deficiencies of Mathis with respect to claim 1 are discussed above. The combination of Mathis and Petrovykh has similar deficiencies, because Petrovykh fails to remedy the above-identified deficiencies of Mathis.

As noted above, the Office Action cited Petrovykh to teach some of the features of the dependent claims. Nevertheless, Petrovykh similarly fails to teach the identification of presence information based on the application for which it is intended. This is unsurprising, as Petrovykh generally relates to a method and apparatus for anticipating and planning communication-center resources based on evaluation of events waiting in a communication center master queue.

Consequently, Petrovykh is unable disclose or suggest the features of the present invention either or alone or together with Mathis, because it is unable to teach the features of the claims with respect to which Mathis is deficient. It is, therefore, respectfully submitted that the combination of Mathis and Petrovykh is unable to teach the present invention as recited in claims 13-15 and 17-19.

Additionally, as noted above, certain embodiments of the present application can address a problem with the prior art insofar as information was not efficiently provided to presence applications. In particular, not all presence applications may be found on a given communications device. Thus, certain embodiments of the present invention provide a technical advantage in that the information is efficiently provided to these applications.

There is no mention or disclosure in either Mathis or Petrovykh (considered alone or in combination) which would suggest that multiple applications may be contained on a given device. In particular Mathis is only able to disclose identifying separate communication devices. Consequently there can be no motivation found in matters to make the current invention. For at least this reason it is submitted that the present invention is non-obvious over Mathis and Petrovykh (either taken singly or in combination). Thus, for these additional reasons, it is respectfully requested that the rejection be withdrawn.

For the reasons set forth above, it is respectfully submitted that each of claims 1-28 recites subject matter that is neither disclosed nor suggested in the cited art. It is,

therefore, respectfully requested that all of claims 1-28 be allowed and that this application be passed to issuance.

If, for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter Flanagan", is written over a horizontal line.

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Enclosures: Replacement Sheet (1) for Figures 4 and 5
Additional Claim Fee Transmittal
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